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C.M.P.No.19198 of 2001 & 2011 of 2005
in
S.A.No.129 of 2005

C.V.KARTHIKEYAN, J.

Even though notice was ordered to R2 and R2 through substituted service and the learned counsel had taken effort of publishing the notice in a newspaper namely, Makkal Kural on 25.08.2021, I am of the opinion that the entire exercise is not required particularly, because R2 and R3 are the defendants in the suit and more particularly, R2 and R3 who were also respondents in the First Appeal had remained exparte during the first appeal proceedings. The contesting respondent is the first respondent who was the plaintiff in the suit for specific performance and had obtained a decree for specific performance which decree was also upheld by the first Appellate court. The appellant is the 2nd defendant in the suit.

2.The learned counsel for the 1st respondent may also indicate to the Court whether any Execution Petition has been filed consequent to the decree to execute the sale deed in accordance with the decree for specific performance.

20.06.2022

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